UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

THE HUMAN RIGHTS TREATY BODIES

PROTECTING YOUR RIGHTS

enforced disappearances

children

economic social and cultural

torture

civil and political rights

migrant

racial discrimination

women

workers and members of their family

persons with disabilities

The Universal Declaration of Human Rights was adopted by the United Nations General Assembly in 1948.

The Declaration laid the groundwork for the human rights structure that emerged in the following decades and of which the human rights expert committees, formally known as **Treaty Bodies**, are a key part. These committees are often described as the backbone of the international human rights protection system.

Since 1948, States have adopted nine international human rights treaties and nine Optional Protocols.

These include a treaty that addresses civil and political rights, and one that covers economic, social and cultural rights.

Some of the treaties relate to the rights of specific groups, such as children, migrant workers and their families, and persons with disabilities.

Other treaties focus on preventing and tackling specific human rights violations, for example torture, enforced disappearances, racial discrimination, and discrimination against women.

Many of the Optional Protocols include procedures for individual complaints and inquiries.

What are the United Nations human rights expert committees?

When a State ratifies an international human rights treaty, it assumes the legal obligation to implement the treaty's provisions and abide by them. It also agrees to report periodically to the relevant committee on what progress it has made. For each treaty there is a committee that reviews these reports and monitors how successfully States are implementing the rights in the treaty.

The members of the committees are unpaid independent experts, nominated and elected by States. It is important that a committee's membership is drawn from different parts of the world, and from different cultural and legal backgrounds, and that there is balanced gender representation.

Membership ranges from 10 to 25 experts, depending on the committee.

How does the review process work?

A State has to submit a report to the relevant committee every four to five years. States know well in advance when they are due to be reviewed, and when the public review session will take place. These sessions take place at the headquarters of the United Nations human rights office in Geneva, Switzerland.

The review process, which takes several months, is as follows:

1 - The State submits its written report

2 - A delegation from the State is invited to engage in a dialogue with the committee. This question and answer session, held in public, usually lasts one day

3 - A few days after the review, the committee issues its findings, known as **Concluding Observations**, highlighting progress as well as areas of concern, and making concrete recommendations for improvement

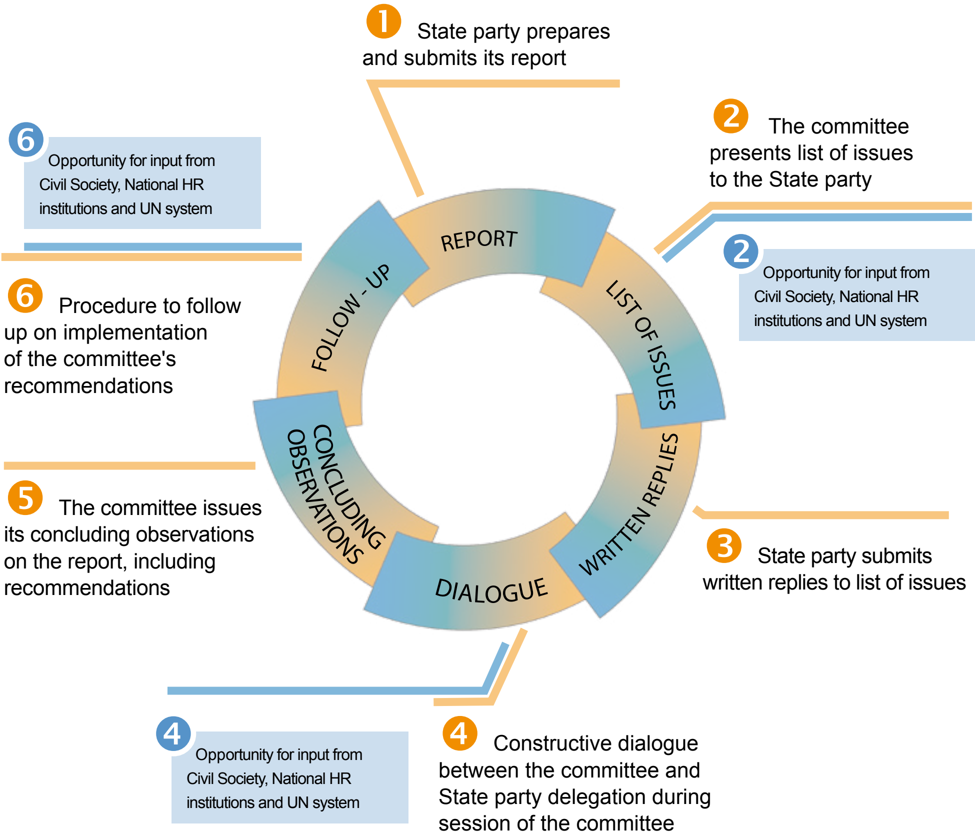
4 - The committee then sets a date by which it wants the State to report back on what steps it has taken to improve the human rights situation in the country

The committees work on a “reporting cycle” since each review builds on the previous one.

The Concluding Observations are an authoritative and public evaluation of how the treaty is being implemented in the country under review.

The exception to this process is the **Subcommittee on the Prevention of Torture** which does not consider State reports. Instead it has a mandate to visit places where people are detained, including prisons, police stations and mental health institutions, and advise on ways to prevent torture or cruel, inhuman or degrading treatment.

The reporting cycle under the international human rights treaties



An increasing number of treaty bodies are now using a simplified reporting procedure based on a questionnaire sent by a committee to the State party. The State party's response forms the report required under the specific treaty. This procedure is simplified as it merges steps 1 and 2 in the cycle chart above into only one step.

All documents of the reporting cycle are available at **www.ohchr.org**. Concluding observations are searchable by keyword through the Universal Human Rights Index at **uhri.ohchr.org**.

What role do governments play in the process?

It is important that States submit timely and informative reports. Officials from the respective ministries of the State under review are likely to be involved in preparing the information to submit to the committee. The United Nations Human Rights Office provides guidance on this and there are substantive guidelines on how to prepare the report.

How involved are other parties in the process?

All committees welcome submissions from civil society groups, national human rights institutions, and United Nations bodies (for example UNICEF, ILO, UNHCR and UN Women). They can provide the committees with information and analysis at different stages of the review cycle. This helps the committee members get a more detailed understanding of the human rights situation in the country so they can base their findings on multiple sources, not just the State's own evaluation of how it is doing.

What are General Comments?

The committees are the most authoritative source of interpretation of the international human rights treaties. Their interpretation can be found in what are known as "**general comments**".

These comments play a key role in assisting States in implementing treaty obligations and in the development of international human rights law.

Individual complaints

Most committees can also consider complaints by individuals who believe their rights have been violated.

The following general conditions need to be met:

- The State must have ratified the treaty in question
- The State must have agreed to be bound by the complaints process (often established in an Optional Protocol)
- The individual (or group of individuals) must have exhausted all the legal steps in their own country - the complaints process is the final option.

More specific conditions, known as admissibility criteria, apply depending on the treaty in question.

How can you file a complaint?

If all above conditions are met, you can lodge a complaint with a specific committee. You don't need a lawyer, but legal advice may be helpful in drafting and submitting your complaint.

You can also submit a complaint on behalf of an alleged victim, with her/his written consent. Sometimes consent is not needed; for example if the alleged victim is in prison without access to the outside world, or is a victim of enforced disappearance.

You can find out more about the complaints procedure here: **http://www.ohchr.org/EN/HRBodies/TBPetitions/Pages/HRTBPetitions.aspx**.

A searchable database of the case law is also available at **juris.ohchr.org**.

Contacts

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Committee on the Elimination of Discrimination against Women (CEDAW)
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Committee against Torture (CAT)
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Subcommittee on Prevention of Torture (SPT)
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Committee on the Rights of the Child (CRC)
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Committee on Migrant Workers (CMW)
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Committee on the Rights of Persons with Disabilities (CRPD)
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Committee on Enforced Disappearances (CED)
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For further information on the work of the United Nations human rights committees: **http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx**

To find more about how many and which countries have ratified the international human rights treaties: **http://indicators.ohchr.org**

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